

REMARKS

Claims 1-18 are all the claims pending in the application.

The Examiner rejects all of the pending claims under 35 U.S.C. § 103(a) as being unpatentable over a combination of the newly-cited Tsumura and Serrano et al. (Serrano) references.

Applicant respectfully traverses this rejection as follows.

As explained in Applicant's previous Amendment filed September 24, 2003 and Response filed March 29, 2004, Applicant's invention provides data processing devices (claims 1-12) and methods of operating data processing devices (claims 13-18) which comprise unique combinations of features and method steps, including, *inter alia*:

a light-emitting unit which illuminates a display unit, a detector which detects whether a specific functional part in the data processing device is in operation or not, and a controller which limits a current to be supplied to the light-emitting unit when the detector has detected that the specific functional part in the data processing unit is in operation (claim 1; see also claims 5, 7, 13, 15 and 16); and

a plurality of light-emitting units which illuminate a display unit, a detector which detects whether a specific functional part in the data processing device is in operation or not, and a controller which controls a number of the light-emitting units to be turned on, when the detector has detected that the specific functional part in the data processing unit is in operation (claim 3; see also claims 9, 11, 14, 17 and 18).

No reasonable combination of Tsumura and Serrano teaches or suggests such unique combinations of features and method steps.

Tsumura (the Examiner's primary reference) discloses a device where "control unit 16 sends an instruction to a backlight driver 14, and intermittently drives the backlighting element 13 at appropriate timings, or temporarily stops the driving of the backlighting element 13 in synchronism with operation timings of a radio processing unit 17" (see Id., Abstract and Fig. 1). In particular, Tsumura discloses a device where control unit 16 controls the timing of the backlighting element 13 (see Id., col. 7, lines 11-41), and of the radio processing unit 17 (see Id., col. 7, lines 42-47) such that:

The control unit 16 stops the operation of the backlight driver 14 when the radio processing unit 17 is operating in synchronism with the operation timings of the radio processing unit, and stops the driving of the backlighting element 13 to light off the same. (Id., col. 7, lines 51-58).

The Examiner acknowledges that Tsumura "does not specifically teach that a detecting unit detects operation of radio-processing unit" (see Office Action, page 3, lines 1-3). In fact, Tsumura teaches quite the opposite in that the stopping of its backlighting element 13 is not based on a detection of operation, but is simply determined by the timings (i.e., whether they are "synchronism") of the radio processing unit 17 and the backlight driver 14, which timings are controlled by the same control unit 16.

The Examiner alleges that one of ordinary skill in the art would have been motivated to employ the unit operational detector as taught by Serrano in a device as disclosed in Tsumura, *inter alia*, "so that the device can determine if the radio communication unit of the device is in operation", "because [both Tsumura and Serrano are] directed to the problem of adjusting

operation of a device based on the operational status of a specific part of the device, such as the radio communication unit", and because "unit operational detector means taught by Serrano would improve the efficiency of Tsumura because it allowed the device backlight to be disabled whenever the radio communication unit is in operation" (see Office Action, page 3, lines 8-21).

Applicant respectfully disagrees.

In fact, as explained above, Tsumura does not require any operation detectors because stopping of its backlighting element 13 is not based on detection of operation, but is simply determined by the timings of the radio processing unit 17 and the backlight driver 14. On the other hand, Serrano discloses an apparatus and method for indicating an incoming call that generates a voltage signal with a value representative of the current drawn by operation of the device, and "provides the user with a choice of an audible or a silent alarm to indicate incoming calls" (see Id., Abstract; and col. 2, lines 10-13). In particular, Serrano discloses a monitoring circuit which is external to the device being monitored, which operates without modifying the internal operation of the monitored device, and which monitors both the power supplied to the unit and the radio frequency output of the device's transmitter to determine the status of the device's transmitter as being active or inactive. (see Id., col. 2, lines 27-47). Nowhere does Serrano or Tsumura teach or suggest that the "efficiency" of the Tsumura's device would somehow be improved by adding an external monitoring circuit of Serrano, let alone that adding Serrano's external monitoring circuit would allow "the device backlight to be disabled whenever the radio communication unit is in operation". In fact, rather than determining "whenever the radio communication unit is in operation", Serrano's monitoring circuits is specifically designed to identify operational characteristics of the device during an incoming call, so that the user is not

alerted “whenever”, but only in the case of an incoming call (see *Id.*, col. 47 through col. 4, line 29).

Furthermore, one of the key features of Serrano’s monitoring circuits is that it “operates without modifying the internal operation of the monitored device”. This is, contrary to the Examiner’s allegation that Serrano is “directed to the problem of adjusting operation of a device based on the operational status of a specific part of the device”, and is inapposite to Tsumura which discloses a device whose main feature is modification of the internal operation thereof, i.e., stopping its backlighting element 13 based on timing synchronism of its radio processing unit 17 and backlight driver 14.

In fact, Serrano’s device would be rendered inoperative if internal operations of the monitored device were modified, (e.g., reduction in power consumption due to a backlighting element of the device being stopped), because one of the characteristics which is used by Serrano’s monitoring circuit to determine whether the device’s transmitter is active or inactive is the current being drawn by the operation of the device (see *Id.*, col. 3, lines 16-41).

Thus, contrary to the Examiner’s analysis one of ordinary skill in the art would not have been motivated to combine the opposing teaching of Tsumura and Serrano. The Examiner’s alleged motivations for combining the teaching of these references, especially in the manner suggested by the Examiner, are not supported by the actual disclosure of the references themselves, and find no basis in the common knowledge of artisans skilled in the relevant art at the time prior to Applicant’s invention.

Response Under 37 C.F.R. § 1.111
U.S. Appln No. 09/666,796

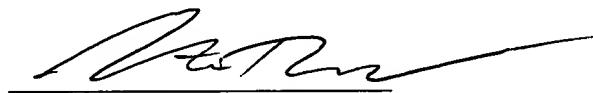
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In summary, Applicant's independent claims 1, 3, 5, 7, 9, 11 and 13-18, as well as the dependent claims 2, 4, 6, 8, 10 and 12 (which incorporate all the novel and unobvious features of their respective base claims), would not have been obvious from any reasonable combination of the cited references at least for these reasons.

Accordingly, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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